

88-378-SPHYA
#226

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCES Parcel 1 - SW/S Reisterstown Rd. (Main Street), 30' S of the c/l of Chatsworth Avenue; and Parcel 2 - SW/S Reisterstown Rd. (Main Street, 455' S of the c/l of Chatsworth Avenue 4th Election District 3rd Councilmanic District Reisterstown Volunteer Fire Co. Petitioner

AMENDED ORDER

WHEREAS, by Order dated June 2, 1988 the Petitioner was granted a special exception for a volunteer fire company in a B.L. zone; a special hearing to permit business parking for the Petitioner on a parking lot owned by the Baltimore County Board of Education, and as such, that the requirements of Section 1B01.1.B.1.b. do not apply and, likewise, R.T.A. requirements are not applicable; and variances to permit business parking in a D.R. zone on a lot that is not adjoining to and/or across the street or alley from the subject property; all of which were subject to restrictions;

WHEREAS, Restriction No. 2 of said Order required the Petitioner to complete the use of the special exception granted therein within five (5) years;

WHEREAS, it was the intent of the Zoning Commissioner to allow the Petitioner five (5) years, pursuant to Section 502.3 of the B.C.Z.R., in which to begin construction of the proposed addition to the subject property in accordance with Petitioner's Exhibit 1 submitted therein;

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of June, 1988 that Restriction No. 2 of the Order dated

ORDER RECEIVED FOR FILING
Date
By: *John J. Harsh*

Reisterstown Volunteer Fire Company
Parcel 1 - SW/S Reisterstown Rd. (Main St.) 30' S of Chatsworth Ave.
Parcel 2 - SW/S Reisterstown Rd. (Main St.) 455' S of Chatsworth Ave.

88-378-SPHYA
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs
cc: Peoples Counsel
File

June 2, 1988 be and is hereby amended to permit the Petitioner five (5) years in which to begin utilization of the special exception granted therein for the proposed addition; and,
IT IS FURTHER ORDERED that all other provisions and restrictions of the Order dated June 2, 1988 shall remain in full force and effect.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
for Baltimore County

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE, Par. 1 B/W side Reisterstown Rd. (Main St.) 30' S of Chatsworth Ave., Par. 2 - SW/S Reisterstown Rd. (Main St.) 455' S of Chatsworth Ave. Reisterstown Vol. Fire Co. Petitioner

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

The Petitioner herein requests a Special Exception for a volunteer fire company in the BL zone and has requested a zoning variance to Section 409.4A to allow business parking in a D.R. zone on a lot that does not adjoin and/or is not across the street or alley from the volunteer fire company and a determination pursuant to a Petition for Special Hearing that the requirements of Section 1B01.1.B.1.b. do not apply to the business parking located in the residential zone and, therefore, R.T.A. requirements do not apply to this lot because of the nature of the parking and the existence of the parking lot prior to the R.T.A. requirements, all of which is more particularly described on Petitioner's Exhibits 1 and 2.

There were three (3) witnesses in support of the Petitioner, namely, Robert Morelock and Craig E. Coleman and, they were represented by attorney, William E. Hammond. Mr. Donald Harper, of the Baltimore County Board of Education, was present to represent the Board of Education's position. There were no Protestants.

The testimony of the witnesses indicates that the Reisterstown Volunteer Fire Company has been located on the subject site since approximately 1946. That the currently existing fire house is too small to accommodate modern equipment and the upstairs banquet hall is

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economically not viable and, therefore, has been closed for several years. The primary purpose of the special exception is to sanctify the Reisterstown Volunteer Fire Company's right to exist on the subject lot and to allow for the construction of an additional fire house area directly adjacent to the existing fire house on what used to be an old ice house property. The subject site is not large enough to accommodate modern fire equipment and it creates a serious problem for the fire company when fire apparatus has to be moved in and out of the currently existing fire house. The majority of the new space in the proposed fire house will be occupied by fire equipment.

The purposes for the addition to the fire house is not to create a banquet hall or any social areas, but to expand the actual useful space for fire suppression equipment and to store related items. The subject site does not contain enough parking spaces and will not have adequate parking to support the entire structure under the requirements of the Baltimore County parking regulations at the conclusion of the construction of the proposed addition. The fire company has had a long standing working relationship with neighboring businesses to obtain parking. Specifically, the banking establishment and the local church directly across Reisterstown Road to allow use of their parking lots for emergency purposes and for after hour meetings. There is also an arrangement with Franklin Middle School located approximately 150' south of the existing fire house to use a large parking lot belonging to the Baltimore County Board of Education for spill over parking for night time functions. This lot is commonly used by the community for after hour parking in relationship to presently existing recreation

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and for general parking in the commercial district of Reisterstown. This parking lot has existed for more than 25 years and is the subject of the Petition for Zoning Variance and the Petition for Special Hearing.

The volunteer fire company does not have any full time paid staff. The fire company is manned by volunteers and there are only a few parking spaces occupied at any given time during most days except for when an emergency call comes in and the volunteers arrive at the station to respond to the fire suppression call. On those occasions, many of the firefighters park across the street from the fire house at both the bank and the church and the lot is more than adequate to accommodate the number of firefighters that usually respond to a call. The only time the parking lot located on the subject site is not adequate is when a large meeting of the membership takes place in the evening. These meetings are extremely rare and since there are no social functions conducted at the fire house, the need for parking on the Board of Education lot is extremely rare.

Mr. Coleman testified extensively to the growing need for the fire station and its inability to service all of the demands being placed upon it for additional fire suppression. Mr. Coleman's testimony was supported by the testimony of Mr. Morelock concerning the requirements of Section 502.1 and Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.). Both Mr. Morelock and Mr. Coleman testified extensively to the requirements set forth in those sections and indicated that this project will more than comply with those requirements. Mr. Harper testified that the Baltimore County Board of Education supports the volunteer fire company and has no objection to

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the night time usage of parking lot as long as there is no interference with school programs. Both Mr. Coleman and Mr. Harper testified that they see no reason why the parties cannot satisfactorily make use of the Board of Education's parking lot and not interfere with the school program.

After reviewing all of the testimony and evidence presented, it appears that the relief requested in the Petition for Special Hearing and the Petition for Special Exception should be granted.

The testimony and evidence clearly indicates that the requested zoning variance will not be detrimental to the health, safety, or general welfare of the community, nor will it tend to create congestion in roads, streets or alleys. Clearly, the requested zoning variance is consistent with the spirit and intent of the B.C.Z.R. and if the variance were not granted and strict application of the zoning regulations was required, the Petitioners would suffer a great practical difficulty which would prevent the reasonable use of the subject site.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 and 2 would not have any adverse impact above and beyond that inherently

associated with such a special exception use, irrespective of its location within the zone. *Schultz v. Pritts*, 412 A2d 1319 (1981).

After due consideration of the testimony and evidence presented, it is clear that the subject relief should be granted, as there is substantial practical difficulty and unreasonable hardship upon the Petitioner. It is equally clear that the relief requested in the Special Exception and Special Hearing are appropriate and would be conducted without any detriment to the public health, safety and general welfare.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 and Section 307 having been met and the health, safety and general welfare of the community not having been adversely affected, the special exception, the relief requested in the special hearing and the variance should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County, Maryland, this 22 day of June, 1988 that the Petition for Special Exception for a volunteer fire company in a B.L. zone on property described in Petitioner's Exhibits 1 and 2 and the relief requested in the Petition for Special Hearing to allow business parking for the Reisterstown Volunteer Fire Company on a parking lot owned by the Baltimore County Board of Education that the requirements of Section 1B01.1.B.1.b. do not apply and, therefore, R.T.A. requirements are not applicable to that lot be and are hereby GRANTED.

ORDER RECEIVED FOR FILING
Date
By: *John J. Harsh*

IT IS FURTHER ORDERED that the relief requested in the Petition for Zoning Variance to Section 409.4A to allow business parking in a D.R. zone on a lot that is not adjoining to and/or across the street or alley from the subject Reisterstown Volunteer Fire Company, but is located on the Baltimore County Board of Education property to the south of the subject lot be and is hereby GRANTED, all subject to the following restrictions:

- 1. The Petitioner may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Pursuant to Section 502.3 the Petitioner shall have five (5) years to complete the use of the requested Special Exception.
- 3. The Petitioner shall comply with the comments found in the Baltimore County Zoning Advisory Committee (ZAC) comments for the Baltimore County Department of Environmental Protection and Resource Management dated December 28, 1987, the Baltimore County Fire Department dated January 11, 1988 and the comments from the Baltimore County Bureau of Traffic Engineering dated May 27, 1988.

JRH:ann
cc: Peoples Counsel

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

ORDER RECEIVED FOR FILING
Date
By: *John J. Harsh*

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve on parcel 2, Business parking in a residential zone and a determination that either the requirements of S. 1901.1a, 1.b do not apply because of the infrequency of use or that the existing parking use will not change and therefore the R.F.A. requirements would not apply.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

LEGAL OWNER:
BALTIMORE COUNTY BOARD OF EDUCATION
FRANKLIN MIDDLE SCHOOL
Signature: Donald L. Harper, Specialist
Address: Dept. of Grounds
City and State

Relisterstown Volunteer Fire Co.
Signature: Vincent N. Fannon, V.P.
Address: 108 Main Street, Relisterstown, MD 21136
City and State: Relisterstown, MD 21136
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Vincent N. Fannon, V.P., Relisterstown Volunteer Fire Co., 108 Main Street, Relisterstown, MD 21136
Attorney's Telephone No.: 833-1370

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of January, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of March, 1988, at 9 o'clock A.M.
J. Robert Haines
Zoning Commissioner of Baltimore County.

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for In a B.U. zone on Parcel 1 A volunteer fire company.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of this property which is the subject of this Petition.

Relisterstown Volunteer Fire Company
Signature: Vincent N. Fannon, V.P.
Address: 108 Main Street, Relisterstown, MD 21136
City and State: Relisterstown, MD 21136
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Vincent N. Fannon, V.P., Relisterstown Volunteer Fire Co., 108 Main St., Relisterstown, MD 21136
Attorney's Telephone No.: 833-1370

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of January, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of March, 1988, at 9 o'clock A.M.
J. Robert Haines
Zoning Commissioner of Baltimore County.

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.4 A, to allow parking in a DR zone on a lot which does not adjoin or is not across a street or alley from the use that it supports On Parcel 2

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Relisterstown Volunteer Fire Co.
Signature: Vincent N. Fannon, V.P.
Address: 108 Main Street, Relisterstown, MD 21136
City and State: Relisterstown, MD 21136
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Vincent N. Fannon, V.P., Relisterstown Volunteer Fire Co., 108 Main Street, Relisterstown, MD 21136
Attorney's Telephone No.: 833-1370

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of January, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of March, 1988, at 9 o'clock A.M.
J. Robert Haines
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent
Towson, Maryland - 21204

Mr. Robert E. Morelock
William F. Kirwin, Inc.
28 E. Susquehanna Avenue
Towson, Maryland 21204

Dear Mr. Morelock,

The request made by the Relisterstown Volunteer Fire Company to utilize the northeast parking lot at Franklin Middle in order to meet Baltimore County permit requirements for the new addition to the fire company has been reviewed by this office. I have discussed the request with Mr. Frank Treuchet, the current principal at Franklin, and Mr. Carroll Parker, who will be principal starting this fall. The school system is most willing to cooperate with the Relisterstown Volunteer Fire Company, especially since they provide such a vital service to the community.

However, as I'm sure the fire company understands, there is a great demand on parking facilities at the school now. The school parking is not only utilized for school activities, but also for Recreation and Parks activities and other community group activities. The school parking is also utilized for overflow parking for activities at the Relisterstown Library.

Consequently, the fire company will have to follow the normal school system procedures and file a request for a permit to utilize school facilities each time they anticipate utilizing the school parking lot for an activity. No blanket permit can be issued.

The request must be made to the school principal at Franklin Middle (833-2100) who will have the master schedule for use of the facility. If there are no conflicting requests for use of the school facilities, the principal will issue a permit allowing the fire company to use the parking facilities. Obviously, the fire company will have to do some advanced planning to coordinate their schedule with the other users of the school facility, but I'm sure this can be worked out.

Finally, if snow is being forecast or is falling, particularly over a weekend, it is important that no parking be allowed on the school parking lot until it has been plowed. This will greatly aid the school system's snow removal efforts.

Mr. Robert E. Morelock
William F. Kirwin, Inc.
May 5, 1987

Please extend my best wishes to the Relisterstown Volunteer Fire Company for the successful completion of this building addition project. If I may be of further assistance, do not hesitate to call me.

Sincerely,
Donald L. Harper
Specialist, Department of Grounds

CC: Merreen E. Kelly
E. Lee Pinehart
John R. Hildebrand, Jr.
William P. Winzard
Frank Treuchet
Carroll Parker

DUH/jkd

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

June 1, 1988

William E. Hammond, Esquire
107 Main Street
Relisterstown, Maryland 21136

RE: Petitions for Special Hearing, Special Exception and Zoning Variance
Case No. 88-3785PDA
Relisterstown Volunteer Fire Co., Petitioner

Dear Mr. Hammond:

Pursuant to the recent hearing held on the above captioned case, please be advised that your Petitions for Special Hearing, Special Exception and Zoning Variance have been Granted, copy of which is attached hereto.

If you have any questions concerning the above matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
Zoning Commissioner

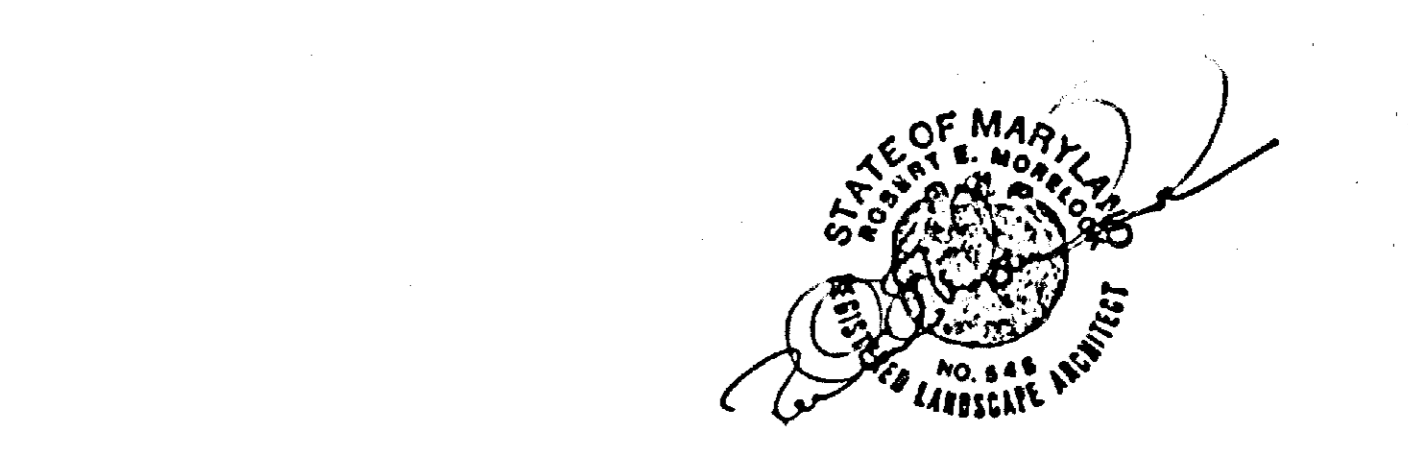
JRH:mmm
att.
CC: Peoples Counsel

WFK WILLIAM F. KIRWIN, INC.

Parcel 1
Relisterstown Volunteer Fire Company
November 9, 1987

Beginning for the same at a point on the west side of a 66' wide right-of-way for Main Street, Maryland Route 140, said point being approximately 30 feet south of the intersection of the said west right-of-way line with the centerline of Chatsworth Avenue, said point also having the following approximate coordinates based on the Baltimore County grid system, viz: North 61,720 & West 60,380; said point of beginning also being the northeasternmost corner of a 5' utility easement as shown on a plat of Surplus Property recorded among the land records of Baltimore County, Maryland in Liber 4669, Folio 261; thence leaving said point of beginning and running with and binding on the aforementioned western right-of-way line for Main Street 1.) South 04 degrees, 44 minutes, 00 seconds East, 188.09 feet; thence leaving said west right-of-way line and running the following four courses and distances, viz: 2.) South 85 degrees, 16 minutes West, 150 feet; 3.) North 04 degrees, 44 minutes, 00 seconds West, 112.48 feet; 4.) North 85 degrees, 16 minutes, 00 seconds East, 67.94 feet; and 5.) North 04 degrees, 33 minutes, 30 seconds West, 65 feet to the aforementioned south right-of-way line for Chatsworth Avenue; thence running with and binding on the southern right-of-way line 6.) North 73 degrees, 53 minutes, 00 seconds East, 82.55 feet to the point of beginning.

Containing 0.5196 acres more or less and lying in the fourth Election District of Baltimore County Maryland.

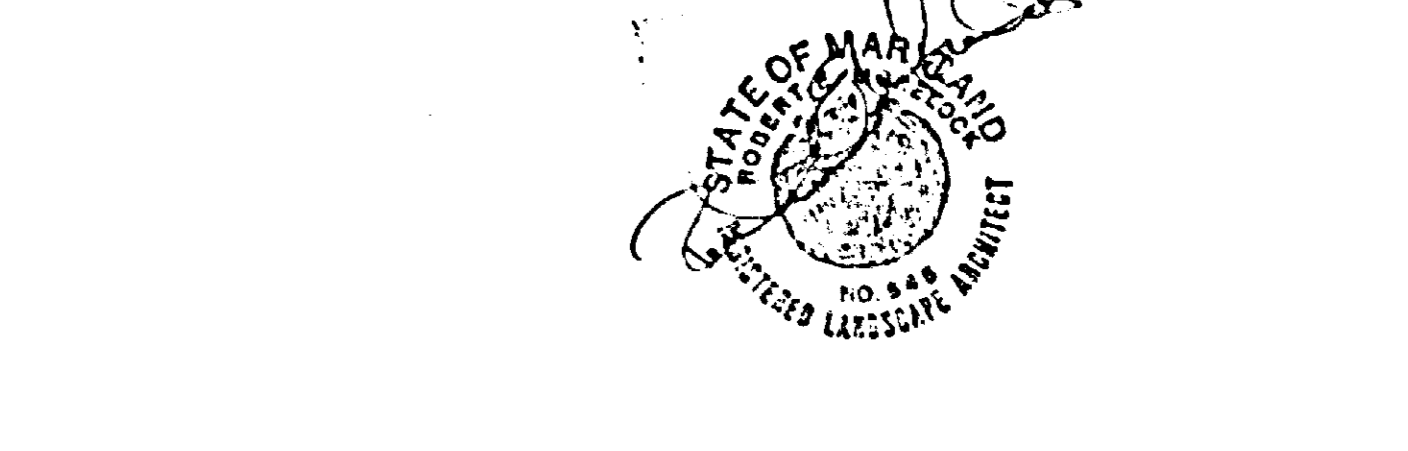


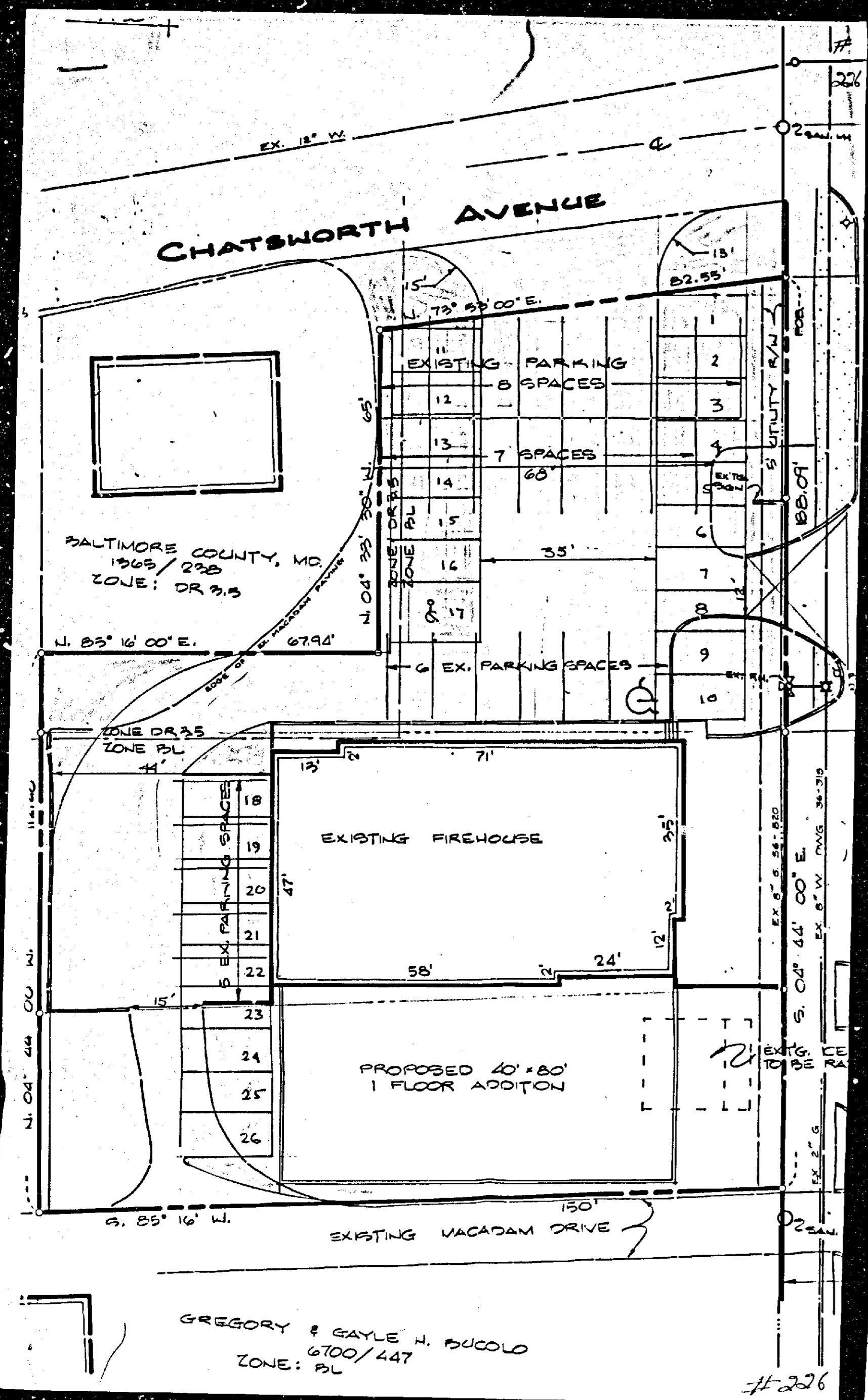
WFK WILLIAM F. KIRWIN, INC.

Parcel 2
Zoning Variance Property Description
Lands of the BOARD OF EDUCATION OF BALTIMORE COUNTY
In Connection with a Conditional Use Agreement with the REISTERSTOWN VOLUNTEER FIRE COMPANY
December 3, 1987

Beginning for the same at a point on the west side of a 66' wide right-of-way for Main Street, Maryland Route 140, said point being approximately 455 feet south of the intersection of the said west right-of-way line with the centerline of Chatsworth Avenue, said point also having the following approximate coordinates based on the Baltimore County grid system, viz: North 61,303 & West 60,332; thence leaving said point of beginning and running the following five courses and distances 1.) South 85 degrees 15 minutes West, 295 feet; 2.) North 04 degrees 45 minutes West, 145 feet; 3.) North 85 degrees 15 minutes East, 128 feet; 4.) South 04 degrees 45 minutes East, 35 feet; and 5.) North 85 degrees 15 minutes East, 167 feet to the aforesaid west right-of-way line; thence running with and binding on the said right-of-way line 6.) South 04 degrees 45 minutes East, 110 feet to the point of beginning.

Being a 0.8472 acre portion of the whole property owned by the Board of Education of Baltimore County, Maryland and lying in the 4th Election District.





Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
494-3333

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

JAN 21 1988

Donald F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing, Special Exception, and Zoning Variance
Case numbers 88-378-SPHXA
Parcel 1 - 345 Reisterstown Rd. (Main St) 37' S c/1 Chatsworth Ave.
Parcel 2 - 345 Reisterstown Rd. (Main St) 435' S c/1 Chatsworth Ave.
4th Election District - 3rd Councilmatic District
Petitioner: Reisterstown Volunteer Fire Company
HEARING SCHEDULE: WEDNESDAY, MARCH 21, 1988 at 9:00 a.m. (FOR SIGN DATE, CALL 494-3371)

Special Hearing: Business parking in a residential zone and a determination that either the requirements of SUBO.I.B.1.b do not apply because of the infrequency of use or that the existing parking use will not change and therefore the R.T.A. requirements would not apply. Special Exception: A volunteer fire company in a R.L. zone on Parcel One. Variance to allow business parking in a R.L. zone on a lot which does not adjoin or is not across a street or alley from the use that it supports on Parcel 2.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County

cc: Reisterstown Volunteer Fire Company
Donald L. Harper/Dypt. of Grounds/Baltimore County Public Schools
File

CERTIFICATE OF POSTING 88-378-SPHA
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th
Date of Posting: March 2, 1988

Posted for: Special Hearing, Special Exception, Variance
Petitioner: Reisterstown Volunteer Fire Company
Location of property: Parcel 1 - 345 Reisterstown Rd. (Main St) 37' S c/1 Chatsworth Ave.
Parcel 2 - 345 Reisterstown Rd. (Main St) 435' S c/1 Chatsworth Ave.
Location of Sign: 1 - Special Exception sign - 345 Reisterstown Rd. (Main St) 37' S c/1 Chatsworth Ave.
1 - Special Exception sign - 345 Reisterstown Rd. (Main St) 435' S c/1 Chatsworth Ave.

Remarks:
Posted by: J. Robert Haines
Date of return: March 4, 1988
Number of Signs: 2

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

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Case number 88-378-SPHXA
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4th Election District - 3rd Councilmatic District
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HEARING SCHEDULE: WEDNESDAY, MARCH 21, 1988 at 9:00 a.m. (FOR SIGN DATE, CALL 494-3371)

Special Hearing: Business parking in a residential zone and a determination that either the requirements of SUBO.I.B.1.b do not apply because of the infrequency of use or that the existing parking use will not change and therefore the R.T.A. requirements would not apply. Special Exception: A volunteer fire company in a R.L. zone on Parcel One. Variance to allow business parking in a R.L. zone on a lot which does not adjoin or is not across a street or alley from the use that it supports on Parcel 2.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County

cc: Reisterstown Volunteer Fire Company
Donald L. Harper/Dypt. of Grounds/Baltimore County Public Schools
File

CERTIFICATE OF PUBLICATION
TOWSON, MD., March 3, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 3, 1988.

THE JEFFERSONIAN,
Susan Scuder Obrecht
Publisher

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

P. David Fields
FROM: Director of Planning and Zoning

Date: February 29, 1988

SUBJECT: Zoning Petition No. 88-378-SPHXA

RECEIVED
MAR 1 1988
ZONING OFFICE

This office is not opposed to the proposed expansion. In view of the Special Hearing, however, this office offers no comment.

P. David Fields per J. Howell
P. David Fields
Director of Planning and Zoning

PDF:JCH:dms
cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

RECEIVED
MAR 1 1988
ZONING OFFICE

cc: Vincent J. Fannon
3/7/88

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing, Special Exception, and Zoning Variance
Case number 88-378-SPHXA
Parcel 1 - 345 Reisterstown Rd. (Main St) 37' S c/1 Chatsworth Ave.
Parcel 2 - 345 Reisterstown Rd. (Main St) 435' S c/1 Chatsworth Ave.
4th Election District - 3rd Councilmatic District
Petitioner: Reisterstown Volunteer Fire Company
HEARING SCHEDULE: WEDNESDAY, MARCH 21, 1988 at 9:00 a.m. (FOR SIGN DATE, CALL 494-3371)

Special Hearing: Business parking in a residential zone and a determination that either the requirements of SUBO.I.B.1.b do not apply because of the infrequency of use or that the existing parking use will not change and therefore the R.T.A. requirements would not apply. Special Exception: A volunteer fire company in a R.L. zone on Parcel One. Variance to allow business parking in a R.L. zone on a lot which does not adjoin or is not across a street or alley from the use that it supports on Parcel 2.

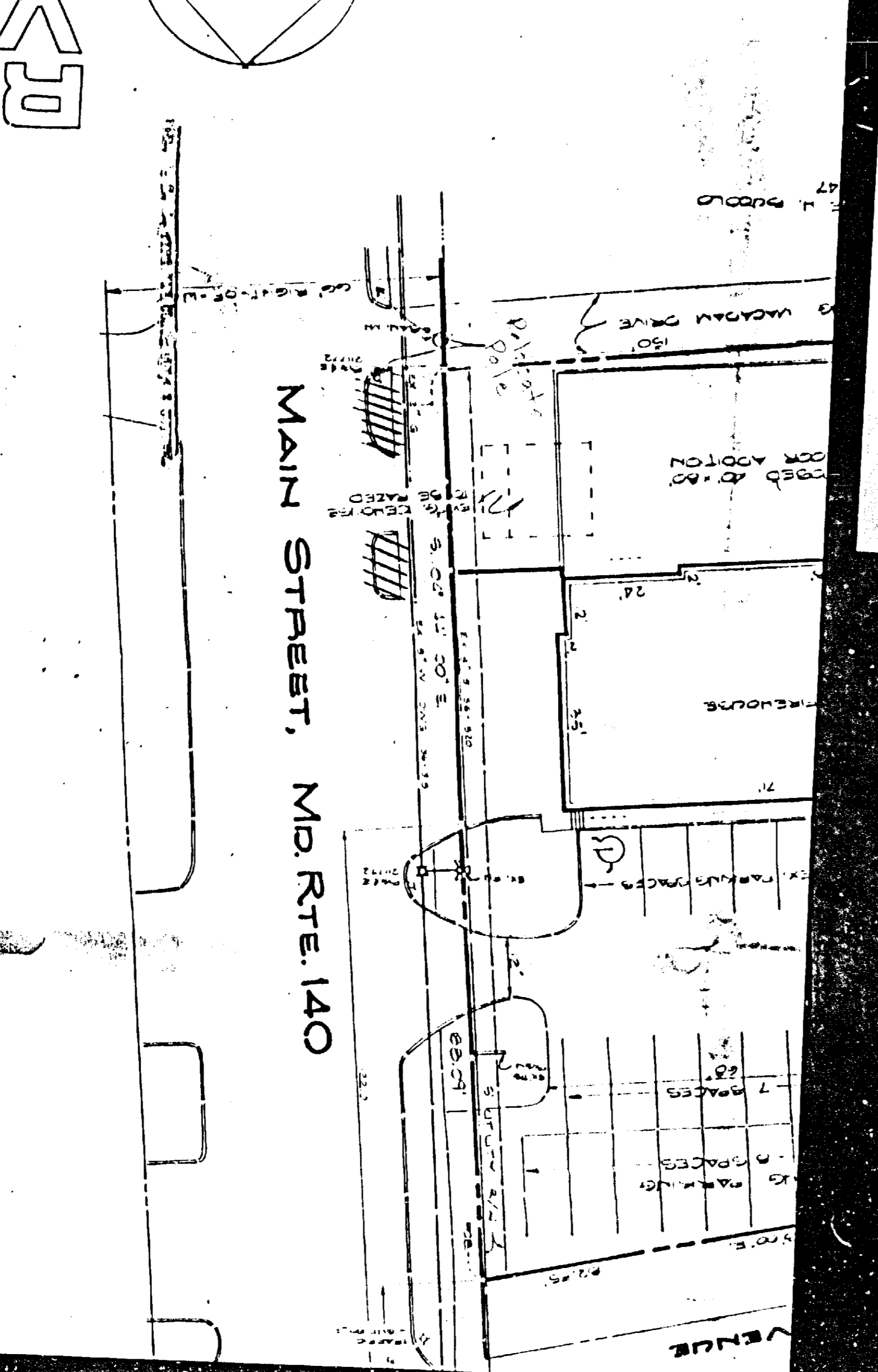
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION
TOWSON, MD., March 3, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 3, 1988.

OWINGS MILLS TIMES,
Susan Scuder Obrecht
Publisher



88-378-SPHXA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 7th day of January, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Reisterstown Volunteer Fire Co.
Attorney: James E. Dyer
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
March 10, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Vincent N. Fannon V.P.
Reisterstown Volunteer Fire Co.
108 Main Street
Reisterstown, MD 21136

RE: Item No. 226 - Case No. 88-378-SPHXA
Petitioner: Reisterstown Volunteer Fire Co.
Petition for Special Exception and Special Hearing

Dear Mr. Fannon:

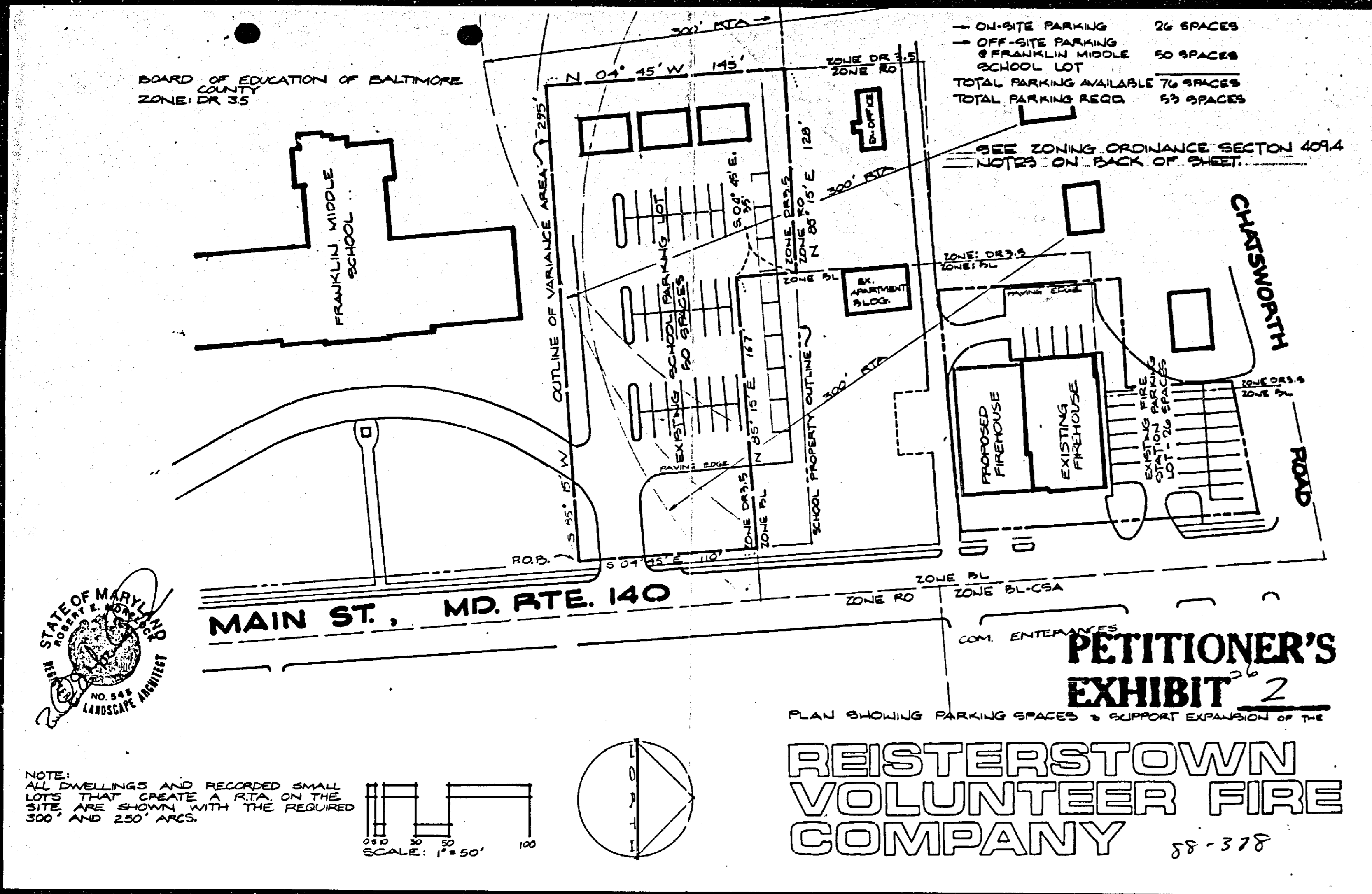
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:ccr
Enclosures

cc: Kennedy, Forter & Associates
2319 Maryland Avenue
Baltimore, MD 21218



BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

12/28/87
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 226, Zoning Advisory Committee Meeting of December 29, 1987

Property Owner: Reisterstown Volunteer Fire Company

Location: NW/S Reisterstown Road District 4

Water Supply: metro Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

- Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- A permit to construct from the Bureau of Air Quality Management is required for any charcoal operation which has a total cooking surface area of five (5) square feet or more.
- Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- If lubrication work and oil changes are performed at this location, the method providing for the collection of waste oil must be in accordance with the State Department of the Environment.
- Prior to raising of existing structures, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- Soil percolation tests, have been _____ must be _____ conducted.
() The results are valid until _____
- Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- Others _____

Richard H. Trainor
Secretary
Hal Kassoff
Zoning Officer

Maryland Department of Transportation
State Highway Administration

JAN 24 1988
ZONING OFFICE

January 22, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: ZAC Meeting of 12-29-87
Reisterstown Volunteer Fire Company
ITEM: #226.
S/W/S Reisterstown Road
Maryland Route 140
30' South of Centerline of Chatsworth Avenue

Attention: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a Special Exception for a Volunteer Fire Company in a B.L. Zone on Parcel 1 and a variance to allow business parking in a D.R. zone, the State Highway Administration - Bureau of Engineering Access Permits has the following comment:

The plan must be revised to show the removal of existing concrete curb and gutter and area to be paved along the frontage within the State Highway Administration right of way on Reisterstown Road.

This is agreed upon only if the existing utility pole is relocated to the southeast corner of the existing Macudan Drive as shown on the attached revised plan.

It is requested these revisions be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,
Gregory J. Mills, Jr.
Acting Chief
Bureau of Engineering Access Permits

LB:maw
cc: Mr. J. Ogle (w-attachment)
Mr. W. King (w-attachment) 333-1350

Telephone for Impaired Hearing or Speech
363-7555 Baltimore Metro - 863-0451 D.C. Metro - 1-800-422-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

RECEIVED ZONING OFFICE
DATE: 2/21/88

May 27, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dennis F. Rasmussen
County Executive

Item No. 226 - ZAC - Meeting of December 29, 1987
Property Owner: Reisterstown Volunteer Fire Company
Location: Parcel 1 - SW/S Reisterstown Rd. (Main St.) 30' S centerline of Chatsworth Ave.; Parcel 2 - SW/S Reisterstown Rd. (Main St.) 455' S centerline of Chatsworth Ave. D.R. 3.5
Existing Zoning: Special exception for a volunteer fire company in a B.L. zone on Parcel 1 and a variance to allow business parking in a D.R. zone on a lot which does not adjoin or is not across a street or alley from the use that it supports on Parcel 2 and a Special Hearing to approve on Parcel 2, business parking in a residential zone and a determination that either the requirements of Section 1801.0.B.1.b do not apply because of the infrequency of use or that the existing parking use will not change and, therefore, the R.T.A. requirements would not apply.
Proposed Zoning: 9.847 acres
4th Election District

Acres: 9.847
District: 4th Election District

Dear Mr. Haines:

We have revised our comments as of February 18, 1988:

The direct access for the parking lot to Reisterstown Road must be signed, "ENTRANCE FOR EMERGENCY PERSONNEL ONLY".

Very truly yours,
C. Richard Moore, Bureau Chief
Bureau of Traffic Engineering

CRM/pm1-b

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

February 18, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dennis F. Rasmussen
County Executive

Item No. 226 - ZAC - Meeting of December 29, 1987
Property Owner: Reisterstown Volunteer Fire Company
Location: Parcel 1 - SW/S Reisterstown Rd. (Main St.) 30' S centerline of Chatsworth Ave.; Parcel 2 - SW/S Reisterstown Rd. (Main St.) 455' S. centerline of Chatsworth Ave. D.R. 3.5
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Proposed Zoning: 9.847 acres
4th Election District

Acres: 9.847
District: 4th Election District

We have reviewed the site plan for this site and recommend the following changes:

- Curb, gutter and sidewalk be build along Chatsworth Avenue;
- The direct access for the parking lot to Reisterstown Road be closed;
- The parking be redesigned to provide vehicle circulation through the site (see attached sketch).

Very truly yours,
Michael S. Flanagan
Traffic Engineer Associate II

MSF/pm1-b

BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Karen M. Cherry

REISTERSTOWN VOLUNTEER FIRE COMPANY

February 18, 1988

Dear Mr. Haines:

Meeting of December 29, 1987
Reisterstown Volunteer Fire Company
Parcel 1 - SW/S Reisterstown Rd. (Main St.) 30' S centerline of Chatsworth Ave.
Parcel 2 - SW/S Reisterstown Rd. (Main St.) 455' S. centerline of Chatsworth Ave.
D.R. 3.5
Special exception for a volunteer fire company in a B.L. zone on Parcel 1 and a variance to allow business parking in a D.R. zone on a lot which does not adjoin or is not across a street or alley from the use that it supports on Parcel 2 and a Special Hearing to approve on Parcel 2, business parking in a residential zone and a determination that either the requirements of Section 1801.0.B.1.b do not apply because of the infrequency of use or that the existing parking use will not change and, therefore, the R.T.A. requirements would not apply.
9.847 acres
4th Election District

We have reviewed the site plan for this site and recommend the following changes:

- Curb, gutter and sidewalk be build along Chatsworth Avenue;
- The direct access for the parking lot to Reisterstown Road be closed;
- The parking be redesigned to provide vehicle circulation through the site (see attached sketch).

Very truly yours,
Michael S. Flanagan
Traffic Engineer Associate II

MSF/pm1-b

Baltimore County
Fire Department
Towson, Maryland 21204 2536
494-4300

Paul H. Reucke
Chief
January 11, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
TOWSON, MD 21204

Dennis F. Rasmussen
County Executive

Re: Property Owner: Reisterstown Volunteer Fire Company

Location: Parcel 1 - SW/S Reisterstown Rd., (Main St.) 30' S. c/l of Chatsworth Ave.
Parcel 2 - SW/S Reisterstown Rd., (Main St.) 455' S c/l of Chatsworth Ave.
Item No.: 226 Zoning Agenda: Meeting of 12/29/87

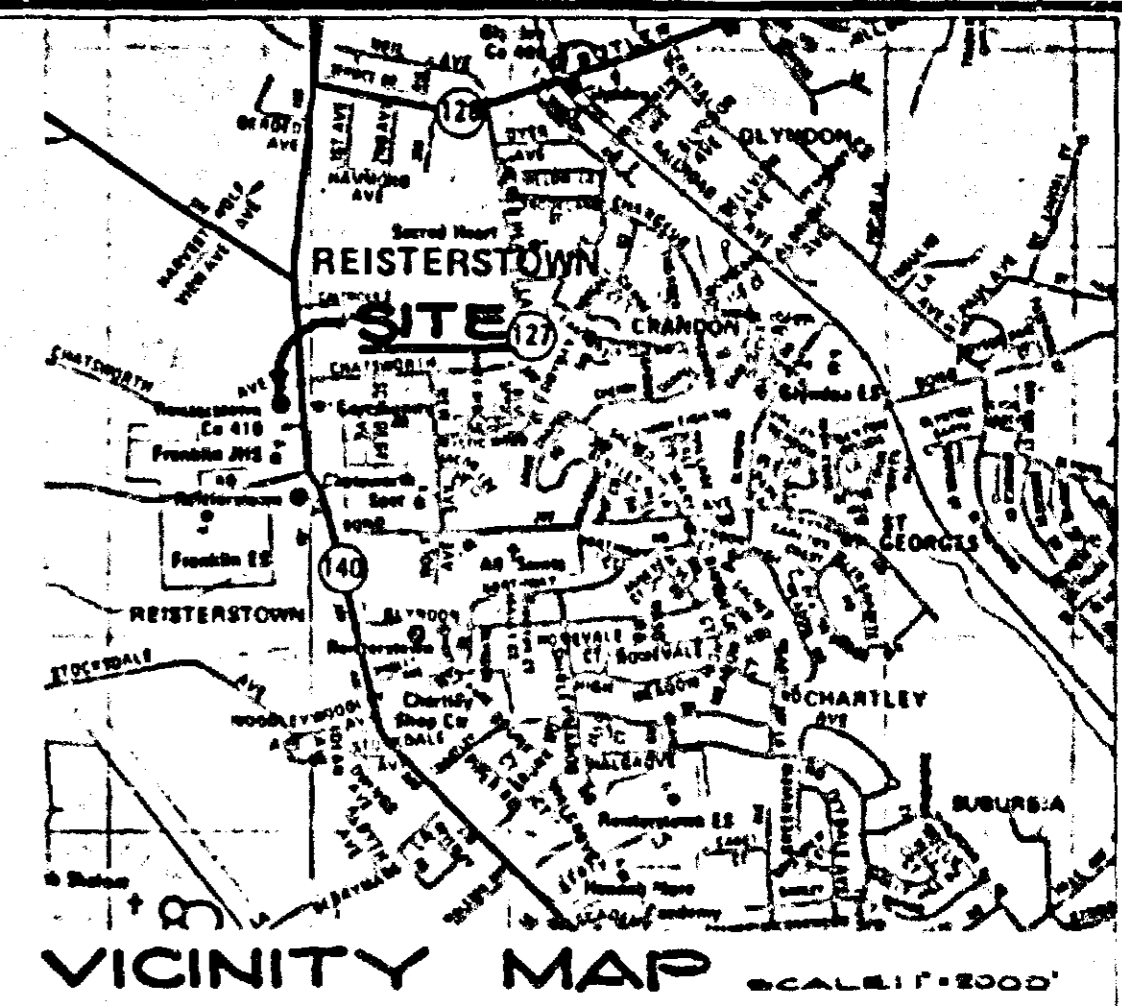
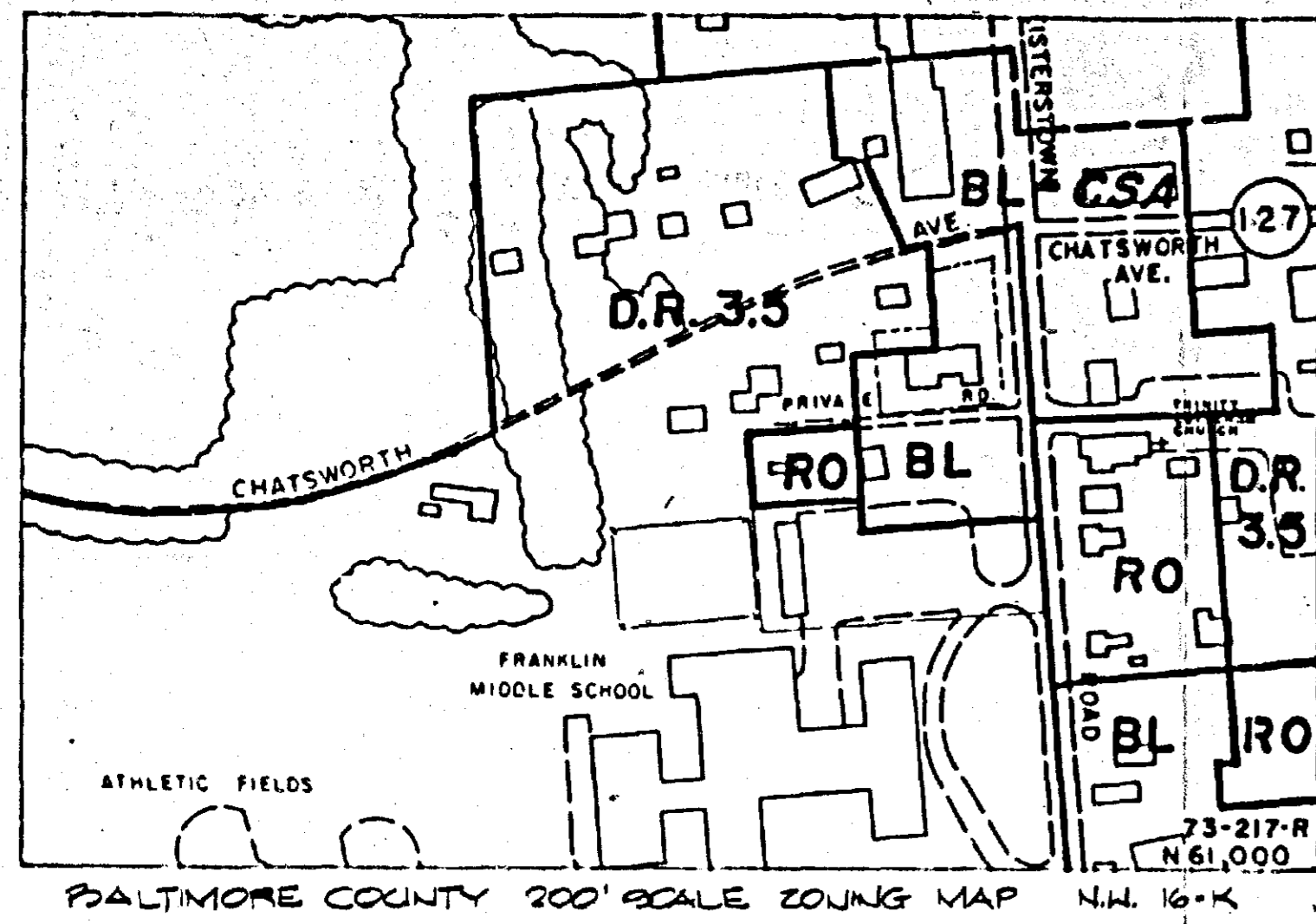
Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Prevention Code.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy.
5. The buildings and structures existing on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

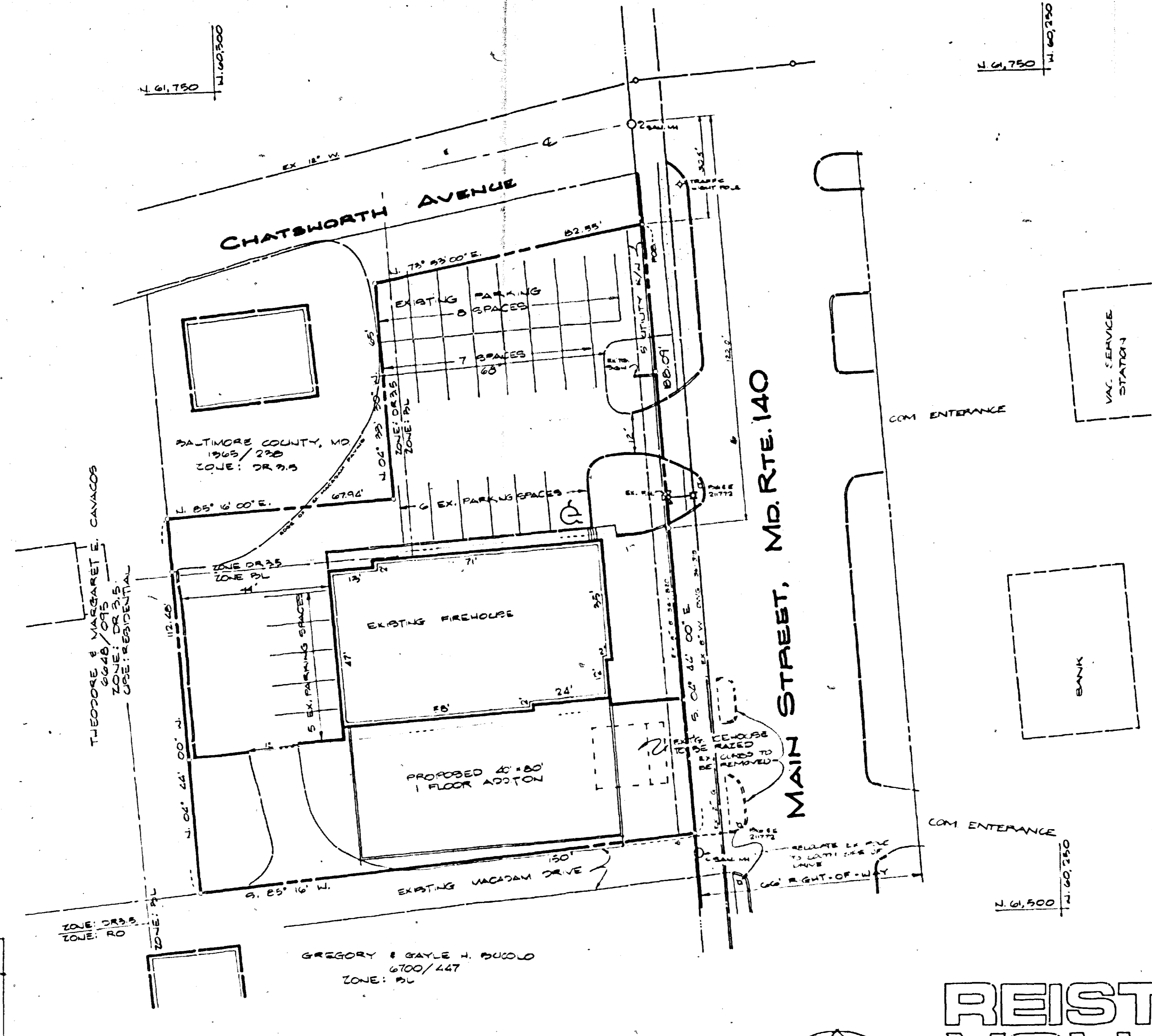
REVISIONS: [Handwritten notes] Noted and Approved: [Signature] Fire Prevention Bureau
Planning Group
Special Inspection Division

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The following notes shall apply to the use of the school parking lot in connection with a Fire Company event:

1. Only passenger vehicles, excluding busses, shall be permitted to use the school parking lot.
2. No loading, service, or any use other than parking shall be permitted.
3. Lighting shall not be altered from that already provided in connection with the normal school use.
4. Parking shall be limited to the paved surface only. No parking shall be permitted in grass or other unpaved areas.
5. Parking for Fire Company events shall be by written permission of the Baltimore County School Board only. Requests to the school board shall include the date and time of an event so that permission will be granted for such specific times.



- NOTES:
1. SITE AREA: 0.70 AC. GROSS, 0.5196 AC. NET.
 2. EXISTING ZONING: BL 1.0000 AC, DR 3.5 = 0.094 AC
 3. EXISTING USE: FIRE HOUSE + VACANT CE HOUSE
PROPOSED USE: EXPANDED FIRE HOUSE
 4. PARKING REQUIRED:
EXTG. 1ST FLOOR, INSTITUTIONAL 416 # @ 1/300' = 14 SPACES
EXTG. 2ND FL. ASSEMBLY HALL, 165 PEOPLE @ 1/6 = 28 SPACES
NEW 1ST FLOOR, INSTITUTIONAL 3200 # @ 1/300' = 11 SPACES
TOTAL REQUIRED PARKING = 53 SPACES
PARKING PROVIDED
EXISTING ON-SITE (INCLUDING HANDICAP SPACE) = 26 SPACES
OFF-SITE @ FRANKLIN MIDDLE SCHOOL LOT = 50 SPACES
TOTAL PARKING AVAILABLE = 76 SPACES
 5. SITE DATA:
ELECTION DISTRICT 4
COUNCILMATIC DISTRICT 3
CENSUS TRACT 4044.01
WATERSHED = 32
SURSEWERED = 67
 6. FLOOR AREA RATIO PERMITTED:
0.70 AC = 49,560 = 3.0 = 91,476 # MAX. FLOOR AREA
FLOOR AREA RATIO PROPOSED
11,200 # TOTAL FLOOR AREA / 49,560 = 0.226
 7. DEED REFERENCES & PROPERTY NUMBERS:
MAP = 48, BLOCK 10:
PARCEL 125 4669/258 04-18-010432
PARCEL 127 1507/074 04-18-010429
PARCEL 128 7586/777 04-02-086020
NOTE: THE DEED REFERENCE FOR PARCEL 127 IS INCORRECTLY LISTED AMONG THE TAX RECORDS AS 570/074.
 8. THIS SITE CONTAINS NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS.
 9. A WAIVER HAS BEEN REQUESTED TO RELIEVE THIS SITE FROM THE BALTIMORE COUNTY LANDSCAPE REQUIREMENTS.

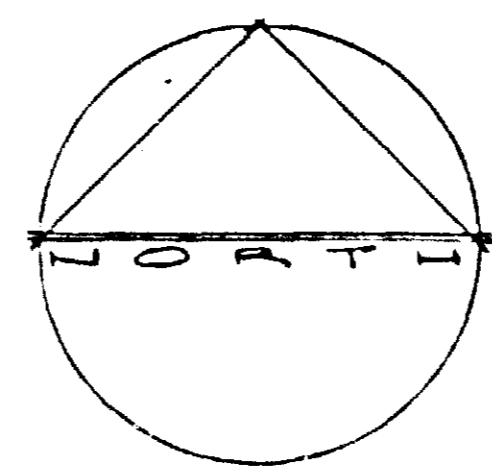
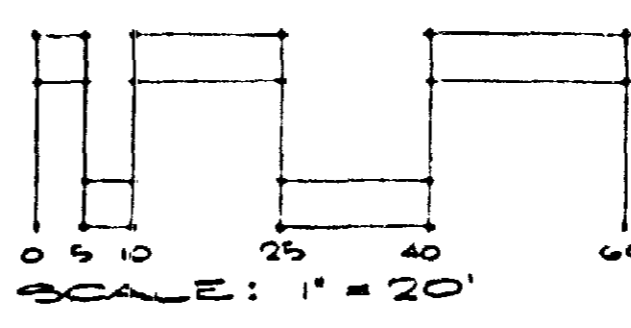
PETITIONERS
EXHIBIT

PETITIONERS
EXHIBIT 1

SOIL TYPES & LIMITATIONS FOR DEVELOPMENT

TYPE	AREA	LIMITATIONS TO STREETS & PARKING LOTS	LIMITATIONS FOR BUILDINGS
S1D	0.524c	MODERATE: SLOPE	SLIGHT

WFK WILLIAM F. KIRWIN, INC.
Land Planning/Landscape Architecture
28 E. Susquehanna Avenue
Towson, MD 21204
Phone 301/337-0075



**REISTERSTOWN
VOLUNTEER FIRE
COMPANY**

OWNER/DEVELOPER
REISTERSTOWN VOLUNTEER FIRE CO.
100 MAIN STREET
REISTERSTOWN, MD. 21126
(301) 833-1370

REVISED PLANS
ITEM # 226
NOVEMBER 2, 1987